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N.J. BOARD OF DENTISTRY  
ON 4-6-11 DA

STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF DENTISTRY

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IN THE MATTER OF AN :  
APPLICATION FOR AN ORDER TO :  
MANDATE THAT :

**KATHRYN ORTH,** :  
**UNLICENSED** :

ORDER ENTERING DEFAULT

CEASE AND DESIST FROM THE :  
PRACTICE OF DENTAL HYGIENE :  
IN THE STATE OF NEW JERSEY. :

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The New Jersey State Board of Dentistry received and reviewed the Attorney General's application to enter a default in this matter. The Attorney General filed an administrative Complaint against Kathryn Orth ("Ms. Orth" or "respondent") on August 18, 2010, alleging, among other things, that respondent had engaged in the practice of dental hygiene without a license and that she had falsified credentials in an effort to gain employment as a dental hygienist.

In support of the Motion to Enter Default, which was returnable on March 16, 2011, William Volonte, Deputy Attorney General, provided the Board with a certification, with exhibits, demonstrating that a copy of the Administrative Complaint and Notice of Filing were served by United Parcel Service overnight

delivery to Ms. Orth at her home address on November 2, 2010.

He also provided a certification, with exhibits, stating that copies of the Motion to Enter Default, supporting certification, and letter brief, were sent to Ms. Orth by UPS overnight delivery and received at her address on February 4, 2011. The certification further stated that the documents were personally served upon a person, who identified himself as Andrew Orth, son of Ms. Orth, at her residence on February 11, 2011.

On March 16, 2011, Mr. Volonte appeared before the Board and stated that since the time Ms. Orth had been served with the papers, she had not responded to the motion or to the administrative complaint. He further stated that at the time the motion was scheduled to be heard, he was present outside the Board's meeting room and that no one had appeared in person to respond to the motion.

After fully considering the proofs presented, the Board finds that Ms. Orth was served with the motion to enter default and has not responded to that motion or filed an answer to the administrative complaint.

THEREFORE, IT IS ON THIS 29<sup>th</sup> DAY OF MARCH, 2011,

ORDERED that an order of default for failure to plead or otherwise defend be entered against Kathryn Orth in connection with the Administrative Complaint filed with the Board on August 18, 2010, and it is further

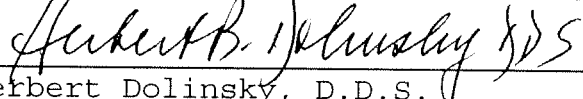
ORDERED that a copy of this order be served upon Ms. Orth within fourteen days of its entry; and it is further

ORDERED that the Attorney General, on notice to Ms. Orth, shall present proofs in support of her complaint on April 20, 2011, at 1:30 p.m. or as soon thereafter as counsel may be heard; and it is further

ORDERED that if, at the conclusion of the proof hearing, cause is found for entry of an order for violation of the laws governing the practice of dentistry and dental hygiene, a hearing regarding aggravating and mitigating circumstances for determining the appropriate sanction will be held immediately; and it is further

ORDERED that any motion by Ms. Orth to vacate the default shall be filed not later than April 15, 2011, and be supported by certifications pertaining to her failure to file an answer to the administrative complaint and response to the motion. If the default is not vacated, the Board may limit respondent's right to present evidence on the date of the hearing.

NEW JERSEY STATE BOARD OF DENTISTRY

  
Herbert Dolinsky, D.D.S.  
Acting President